



CDSS

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STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**



EDMUND G. BROWN JR.  
GOVERNOR

November 18, 2016

PIN 16-04-ASC

**TO:** Residential Care Facilities for the Elderly (RCFEs)

**FROM:** *Original signed by Pamela Dickfoss*  
PAMELA DICKFOSS  
Deputy Director  
Community Care Licensing Division

**SUBJECT:** Federal Drug Enforcement Agency (DEA) Drug Disposal Rule

**Provider Information Notice (PIN) Summary**

PIN 16-04-ASC communicates the Federal DEA requirements for disposal of controlled substances.

In 2014, the DEA of the United States Department of Justice released new rules and regulations to the Code of Federal Regulations, Title 21, [Chapter II](#) concerning disposal of controlled substances in RCFEs<sup>1</sup>. Existing California Code of Regulations (CCR), Title 22, [Section 87465](#)(i) describes how licensees shall destroy medications when a resident transfers from the facility, dies or leaves medication behind. However, the federal requirements for the destruction of medications classified as controlled substances are more specific and restrictive. Therefore, providers must comply with the more restrictive requirements.

When a resident leaves behind a prescribed controlled substance in an RCFE, the licensee or the hospice care agency, if applicable, is not allowed to dispose of the medication. Only the person authorized to dispose of the resident's or decedent's property can dispose of the controlled substances.

Licensees are required to give the remaining controlled substance prescription medication to the resident's or decedent's representative for disposal. Licensees are encouraged to provide information to the resident's or decedent's representative on how to dispose of the controlled substance per DEA guidelines, including take-back events, mail-back programs, or collection receptacles. To find a Controlled Substance Public Disposal Location, click [here](#).

<sup>1</sup> The final rule specific to the Disposal of Controlled Substances can be found in the [Federal Register](#), Vol. 79, No.174, dated September 9, 2014.

If a decedent's representative is unavailable to assume control of the decedent's property, it shall be given to the public administrator of the county, as specified by CCR, Title 22, [Section 87217](#)(j)(4). If the public administrator of the county will not accept the controlled medication, the licensee is then permitted to destroy the medication per DEA guidelines.

If you have any questions, please contact the applicable Adult and Senior Care [Regional Office](#).